

CARLO ANTONIO DEL CONTE
 2811 Creekside Drive
 San Leandro, CA 94578
 (510) 677-9498
 Plaintiff appearing *in Propia Persona*

FILED

SEP 23 2009

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Pro Se

ORIGINAL
FILED

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RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

Carlo Antonio Del Conte

Plaintiff,

vs.

The San Francisco Police Department,
 individually and as a division of the
 City and County of San Francisco; San
 Francisco Chief of Police Heather
 Fong, in her individual and official
 capacity, Officer Amy Hurwitz,
 individually and as a member of the
 San Francisco Police Department,
 Officers Doe 1 through Doe 8, being
 fictitious names, individually and as
 members of the San Francisco Police
 Department, Sally Morin, Esq.,
 individually and as a member of the
 law firm of James M. Millar, Esq.;
 James M. Millar Esq., Tony Torrez and
 Chad Schimke,

Defendants,

Case No.: C 06-05030 JSW

PLAINTIFF CARLO A. DEL CONTE'S
 REQUEST FOR LEAVE TO FILE
 ELECTRONICALLY

Judge: Honorable Jeffrey S. White
 Courtroom 2, 17th Floor

1 **TO THE CLERK OF THIS COURT, THE HONORABLE JEFFREY S. WHITE,**
 2 **PRESIDING JUDGE OVER THIS MATTER, AND ALL PARTIES AND THEIR**
 3 **ATTORNEYS OF RECORDS HEREIN:**

4 COMES NOW Plaintiff Carlo Antonio Del Conte, and in accordance with the General
 5 Order No.: 45, requests that this Court allow him to file all documents herein via Electronic
 6 Court Filing "ECF," as is allowed of other filers in pro per with pendant matters before this
 7 Court. The Clerk advised plaintiff that other parties, in pro per, were filing in this
 8 district using ECF, provided a showing of necessity and ability.

9 Plaintiff lives in San Leandro, and is prejudiced by having to travel to San Francisco,
 10 wait in line both at security and at the clerk's office, as well as having to pay for transportation,
 11 in order to file documents in this matter; a responsibility NOT required of the attorneys
 12 representing the City and County.

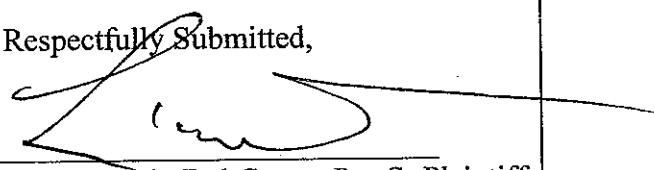
13 Plaintiff has a disability recognized by the American's With Disabilities Act "ADA,"
 14 codified under 42 U.S.C. § 12101 et seq.

15 Plaintiff is fully familiar with the process of filing documents using ECF, as
 16 his mother is an attorney in the state of New Jersey, possessing logons for various
 17 Courts, and for whom plaintiff has filed various documents using the NJ system, in
 18 both Bankruptcy and District Courts. In addition, plaintiff has taken the online
 19 courses available through Pacer, and satisfied ample training in uploading
 20 documents to the ECF system.

21 Plaintiff possesses both the know-how, and physical requirements
 22 (computer, Adobe professional, and an internet connection) to correctly file
 23 documents electronically using ECF.

24 Dated: September 17, 2009

Respectfully Submitted,

25 
 26 Carlo Antonio Del Conte, *Pro Se* Plaintiff


ORDER

The request of plaintiff CARLO ANTONIO DEL CONTE for permission to obtain an ECF logon through the Pacer Service Center was received by this department,

After full consideration of the evidence, the statement submitted by Plaintiff, the authorities submitted by counsel, and oral argument, the court finds that Plaintiff is prejudiced by not being allowed to file electronically.

IT IS THEREFORE ORDERED that Plaintiff be granted the right to file his documents electronically, with respect to this matter ONLY. Pacer Service Center, and the ECF Help Desk, are hereby directed to issue Plaintiff CARLO ANTONIO DEL CONTE a logon therefor.

DATED: SEP 23 2009


Honorable JEFFREY S. WHITE
Judge of the United States District Court

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CARLO ANTONIO DEL CONTE,
Plaintiff,

Case Number: CV06-05030 JSW

CERTIFICATE OF SERVICE

v.

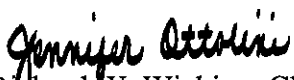
SF POLICE DEPT et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 23, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Carlo Antonio Del Conte
2811 Creekside Drive
San Leandro, CA 94578

Dated: September 23, 2009


Richard W. Wicking, Clerk
By: Jennifer Ottolini, Deputy Clerk